

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RANDEL LANE,

Plaintiff,

vs.

CLARK COUNTY,

Defendant.

Case No. 2:11-cv-00485-JCM-NJK

ORDER

(Docket No. 67)

Pending before the Court is Plaintiff's Motion for Answer Regarding Discovery. Docket No. 67. For the reasons discussed below, the motion is **DENIED**.

Defendant's motion appears to relate to Plaintiff's state case, rather than the instant case. *See* Docket No. 67 at 3 ("I believe these questions should be investigated by attorney Kennedy before he files an opposing brief in the State"). To the extent the motion does apply to the instant case, however, it is an improper motion to compel discovery.

Discovery in the instant case has been closed since February 2, 2012. Docket No. 21 at 2. Plaintiff cannot therefore request discovery responses more than four years after the close of discovery.

Further, the Court's initial inquiry regarding a motion to compel is whether the movant made adequate meet and confer efforts. Federal Rule of Civil Procedure 37(a)(2)(B) requires that a "party bringing a motion to compel discovery must include with the motion a certification that the movant has in good faith conferred or attempted to confer with the nonresponsive party." Similarly, Local Rule 26-7(c) provides that discovery motions will not be considered unless a the movant has "made a good-faith

1 effort to meet and confer as defined in LR IA 1-3(f) before filing the motion,” and “includes a
2 declaration setting forth the details and results of the meet-and-confer conference about each disputed
3 discovery request. Plaintiff has failed to do so. Therefore, even if Plaintiff’s motion related to the
4 instant case rather than the state case, and even if discovery had not closed more than four years ago,
5 Plaintiff’s motion fails to comply with the meet and confer requirement.

6 Accordingly, for the reasons stated above, Plaintiff’s motion, Docket No. 67, is hereby **DENIED**.

7 IT IS SO ORDERED.

8 DATED: August 15, 2016.

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NANCY J. KOPPE
United States Magistrate Judge
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